

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; ARISTA MUSIC, fka BMG MUSIC; CAPITOL RECORDS, LLC, fka CAPITOL RECORDS, INC.; ELEKTRA ENTERTAINMENT GROUP INC.; INTERSCOPE RECORDS; LAFACE RECORDS LLC; MOTOWN RECORD COMPANY, L.P.; PRIORITY RECORDS LLC; SONY MUSIC ENTERTAINMENT, fka SONY BMG MUSIC ENTERTAINMENT; UMG RECORDINGS, INC.; VIRGIN RECORDS AMERICA, INC.; and WARNER BROS. RECORDS INC.,

Plaintiffs,

v.

LIME WIRE LLC; LIME GROUP LLC; MARK GORTON; and M.J.G. LIME WIRE FAMILY LIMITED PARTNERSHIP,

Defendants.

06 Civ. 05936 (KMW)
ECF CASE

**PLAINTIFFS' NOTICE OF MOTION AND PLAINTIFFS' MOTION *IN LIMINE* TO
PRECLUDE DEFENDANTS FROM ASSERTING PRIVILEGE OVER
COMMUNICATIONS WITH FRED VON LOHMANN OR THE ELECTRONIC
FRONTIER FOUNDATION**

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Date: April 14, 2011

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that as soon as counsel may be heard before the Honorable Kimba M. Wood in Courtroom 15B, United States Courthouse, 500 Pearl Street, New York, New York, all Plaintiffs in Case No. 06 Civ. 05936 ("Plaintiffs") will and hereby do move the Court pursuant to the Federal Rules of Evidence, this Court's Orders, and the Local Rules of the Southern District of New York, for the following relief:

- Plaintiffs Motion *In Limine* to Preclude Defendants From Asserting Privilege Over Communications With Fred Von Lohmann Or The Electronic Frontier Foundation

PLEASE TAKE FURTHER NOTICE that this separate Motion is filed at the request of the Court for technical filing purposes, and it is based on the original Notice of Motion, Motion, the Memoranda of Law and Declaration of Susan Traub Boyd filed herein on February 25, 2011, along with all accompanying evidence attached and cited therein, any Reply Memorandum in support, the court records and files, and upon such other evidence and argument that may be offered at the hearing on the Motion.

Dated: April 14, 2011

Respectfully submitted

/s/ Melinda E. LeMoine
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